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7 UNITED STATES DISTRICT COURT
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9 DISTRICT OF NEVADA

10 MICHAEL J. WELLS,

11 v.
12 ISABELLA CASILLAS GUZMAN,
13 Administrator of the U.S. SMALL
14 BUSINESS ADMINISTRATION, *et al.*,
15 Defendants.

Case No. 3:19-cv-00407-MMD-CLB

Order Granting Stipulation and Order to Extend Deadline for Plaintiff to File a Reply to Defendant's Response to Plaintiff's Motion to Stay the Final Order (ECF No. 82) and Judgment (ECF No. 83) Pending Appeal

(Second Request)

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Rule IA 6-1 of this Court's Local Rules, the parties, through undersigned counsel, stipulate to a thirty day extension, from September 4, 2024, to October 4, 2024, for Plaintiff to reply to Federal Defendant's Response to Plaintiff's motion to stay the final order (ECF No. 82) and judgment (ECF No. 83) pending appeal ("plaintiff's motion to stay.") The current deadline to file a response is September 4, 2024. This is the second request for an extension.

On July 31, 2024, Pro Se Plaintiff Michael Wells and undersigned counsel for the Federal Defendant conferred via email and agreed to an extension of thirty days for Plaintiff to file a reply to Defendant's Response to Plaintiff's motion to stay. The purpose of the extension is due to the following reasons: 1. Wells is employed by a Teamsters Union workplace and in the last scheduling bid, Wells weekly work requirement was increased from 24 hours per week to 40 hours per week.; 2. Since Loper Bright Enters. v. Raimondo, Sec'y of Commerce, No. 22-451 (June 28, 2024) and Jarkesy v. Sec. & Exch. Comm'n, 803 F.3d 9 (D.C. Cir. 2015) were decided late last June, Loper Bright has been cited 102 times and Jarkesy has been cited 8 times. It is now clear to me that both are on point in this case and the citing cases provide additional clarity for my arguments and I need additional time to include them in my Reply.

1 3. Wells has recently been diagnosed with prostate cancer and his medical calendar has become very
2 active. Extending the deadline will provide the necessary time for the Federal Plaintiff to evaluate the
3 arguments made in Defendant's Response to Plaintiff's motion and to prepare a Reply to the same. This
4 stipulated request is filed in good faith and not for the purposes of undue delay.

5 Respectfully submitted this 29th day of September 2024.
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7 JASON M. FRIERSON
8 United States Attorney

9 /s/Virginia T. Tomova
10 VIRGINIA T. TOMOVA
11 Assistant United States Attorney
12 Attorneys for the Federal Defendant

13 /s/Michael J Wells
14 Michael J. Wells in pro se

15 IT IS SO ORDERED:
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17 _____
18 UNITED STATES DISTRICT JUDGE

19 DATED: August 30, 2024
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